



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

AR \$ ITOH

In re the Application of: **Akio ITOH**

Group Art Unit: **2815**

Serial No.: **09/594,091**

Examiner: **Mathew E. Warren**

Filed: **June 15, 2000**

Confirmation No.: **8583**

For: **SEMICONDUCTOR MEMORY DEVICE HAVING PLANARIZED
UPPER SURFACE AND A SION BARRIER**

Attorney Docket Number: **000761**

Customer Number: **38834**

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

September 2, 2004

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated **June 2, 2004** of the Primary Examiner.

The item(s) checked below are appropriate:

1. ☐ A petition for a - month extension of time to respond to the Final Rejection is filed herewith.
2. ☐ A timely response to the Final Rejection has been filed, as provided in 37 C.F.R. 1.113.
3. ☒ Fee -\$330.00 or ☐ Small Entity -\$165.00

- ☒ Enclosed
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 50-2866

9/03/2004 BABRAHA1 00000128 09594091

01 FC:1401

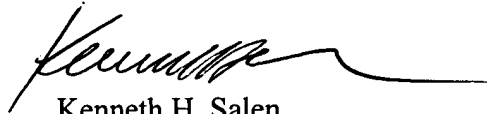
330.00 0P

Notice of Appeal
Serial No. 09/594,091
Attorney Docket No. 000761

In the event this Notice of Appeal is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees which may be required with respect to this Notice.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in dark ink, appearing to read 'Kenneth H. Salen', with a long horizontal flourish extending to the right.

Kenneth H. Salen
Attorney for Applicant
Registration No. 43,077
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

KHS/lde